

PLEA MINUTE SHEET
IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO (AT ALBUQUERQUE)

CR 05-1849 JH

UNITED STATES vs. SWENTNICKAS

Before The Honorable W. Daniel Schneider, United States Magistrate Judge

Hearing Date:	January 25, 2007	Time In and Out:	10:16 - 10:22 AM (6 minutes)		
Clerk:	M Kokesh	FTR Information:	FTR-Gila		
Defendant:	Benjamin Swentnickas	Defendant's Counsel:	Gregory D'Antonio Charles Fisher		
AUSA:	James Braun	Interpreter:			Sworn
<input checked="" type="checkbox"/>	Defendant Sworn		First Appearance		
<input checked="" type="checkbox"/>	Consent to proceed before a magistrate judge and original plea agreement reviewed and executed by Deft.				
<input checked="" type="checkbox"/>	Deft acknowledges receipt of: Superseding Indictment				
	If Deft proceeding by way of information, Deft acknowledges right to an indictment and waives that right.				
<input checked="" type="checkbox"/>	Terms and conditions of proposed plea agreement explained.				
<input checked="" type="checkbox"/>	Factual predicate to sustain the plea provided.				
<input checked="" type="checkbox"/>	Deft questioned re Deft's age, education, physical/mental condition, and whether under the influence of alcohol, drugs, or any medication. Deft advised of charge(s), penalties and possible consequences of the plea.				
<input checked="" type="checkbox"/>	Deft advised of constitutional rights, loss of rights, and maximum possible penalties (including imprisonment, fine, supervised release, probation, SPA, restitution, and any forfeitures).				
<input checked="" type="checkbox"/>	Deft questioned re time to consult with attorney and if satisfied with his or her representation.				
<input checked="" type="checkbox"/>	Court finds Deft fully understands charge(s), terms of plea, and the consequences of entry into plea agreement.				
<input checked="" type="checkbox"/>	Deft pleads GUILTY to: Count I of Superseding Indictment				
<input checked="" type="checkbox"/>	Allocution by Deft on elements of charge(s).				
<input checked="" type="checkbox"/>	Court finds plea freely, voluntarily, and intelligently made; plea of guilty accepted.				
<input checked="" type="checkbox"/>	Deft adjudged guilty.				
<input checked="" type="checkbox"/>	Acceptance of plea agreement deferred until final disposition hearing by district judge.				
<input checked="" type="checkbox"/>	Sentencing Date: TO BE NOTIFIED				
	Defendant to Remain in Custody				
<input checked="" type="checkbox"/>	Present conditions of release continued		Conditions changed to:		
	Penalty for failure to appear explained				
<input checked="" type="checkbox"/>	Presentence Report Ordered		Expedited (Type III)		
	Other Matters:				